

**Briefing Note**  
**Statement of Licensing Policy**  
**Scottish Borders Licensing Board**  
**Friday 17 November 2023**

The purpose of this note is to update Members with regard to the review of the Board's Statement of Licensing Policy for the period November 2023 to November 2028.

At its meeting on 28 April 2023, the Board agreed with Licensing Officers' views that minimal changes to the policy were required and agreed that the suggested amendments be put out for public consultation. As it happened, the Licensing Forum, which the Licensing (Scotland) Act 2005 requires each local authority to have, set up its own consultation, a Community Insight into Alcohol Impacts and Licensing in the Scottish Borders. The Forum's consultation ran from 25 May 2023 to 16 July 2023 and it is understood that the responses received aided the Forum in framing its response to the Board's own consultation process. In order to avoid possible confusion with the Forum's consultation, the Board's consultation process was held back and ran from 21 July 2023 to 17 September 2023. Unfortunately, it appears that those who responded to the Forum's consultation did not respond to the Board's consultation and as a result only three responses were received, one from the Forum, one from the Borders Alcohol and Drugs Partnership and one from the Jethart Callants Festival. The responses received from both the Licensing Forum and the Borders Alcohol and Drugs Partnership were broadly the same and made the same observations and suggestions.

Attached with this note are the following:

1. The draft Policy Statement with suggested changes highlighted in red in paragraphs 1.8, 4.1, 6.3, 7.8, 8.1 and 8.3.
2. The Licensing Forum's response to the Board's consultation.
3. The Borders Alcohol and Drugs Partnership response to the Board's consultation.
4. The Jethart Callant's Festival's response to the Board's consultation.

Licensing Officers have reviewed the responses received and after consideration feel that no further changes are required to those highlighted on the draft policy statement. Licensing Officers considered that the suggestions contained within the responses received from both the Licensing Forum and the Borders Alcohol and Drugs partnership are measures that the Board already takes anyway. For example, the Licensing Forum's response suggests that in order to promote the Licensing Objective of Preventing Crime and Disorder that the Board should consider applying appropriate conditions to licences to mitigate the potential risk of crime and disorder and conduct review hearings where licensees fail to implement control measures on the basis that they are no longer fit and proper persons to operate licensed premises when the Board does both of these things already anyway.

Licensing Officers would welcome the Board members' views on whether the suggested changes to the draft Policy Statement are sufficient.

Ron Kirk  
Managing Solicitor – Property and Licencing  
Legal Services